

## DEPARTMENT OF COMMERCE

## International Trade Administration

A-588-046

**Polychloroprene Rubber from Japan: Final Changed Circumstances Review and Determination to Revoke Finding in Part**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** September 29, 2006.

**SUMMARY:** On August 11, 2006, the Department of Commerce (the Department) published a notice of initiation and preliminary results of a changed circumstances review with intent to revoke, in part, the antidumping duty (AD) finding on polychloroprene rubber from Japan. *See Polychloroprene Rubber from Japan: Notice of Initiation and Preliminary Results of Changed Circumstances Review, and Intent to Revoke Finding in Part*, 71 FR 46189 (August 11, 2006) (*Initiation and Preliminary Results*). We are now revoking this finding in part, with regard to certain polychloroprene rubber products from Japan, as described in the "Scope of Changed Circumstances Review" section of this notice, based on the fact that domestic parties have expressed no further interest in the relief provided by the finding with respect to the imports of such products.

**FOR FURTHER INFORMATION CONTACT:** Maisha Cryor or Mark Manning, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482-5831 and (202) 482-5253, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On June 30, 2006, the Department received a request on behalf of the petitioner, DuPont Performance Elastomers L.L.C. (DuPont), for revocation in part of the AD finding on polychloroprene rubber from Japan pursuant to sections 751(b)(1) and 782(h) of the Tariff Act of 1930, as amended (the Act). DuPont requested partial revocation of the finding with respect to certain polychloroprene rubber products, listed below in the section entitled "Scope of Changed Circumstances Review." In its June 30, 2006, submission, DuPont stated that it no longer has any interest in antidumping relief from imports of such polychloroprene rubber from Japan. On

August 11, 2006, the Department published a notice of initiation and preliminary results of a changed circumstances review with intent to revoke, in part, the AD finding on polychloroprene rubber from Japan. *See Initiation and Preliminary Results*. The Department provided interested parties with a deadline to submit written comments no later than 14 days after the date of publication of the *Initiation and Preliminary Results*. *Id.*, 71 FR at 46190. No party commented on the Department's preliminary results of changed circumstances review.

**Scope of Changed Circumstances Review**

The merchandise subject to DuPont's request and covered by this changed circumstances review is polychloroprene rubber from Japan with (1) aqueous dispersions of polychloroprenes that are dipolymers of chloroprene and methacrylic acid, where the dispersion has a pH of 8 or lower (this category is limited to aqueous dispersions of these polymers and does *not* include aqueous dispersions of these polychloroprenes that contain comonomers other than methacrylic acid); (2) aqueous dispersions of polychloroprenes that are dipolymers of chloroprene and 2,3-dichlorobutadiene-1,3 modified with xanthogen disulfides, where the dispersion has a solids content of greater than 59 percent (this category is limited to aqueous dispersions of these polymers and does *not* include aqueous dispersions of polychloroprenes that contain comonomers other than 2,3-dichlorobutadiene-1,3); and (3) solid polychloroprenes that are dipolymers of chloroprene and 2,3-dichlorobutadiene-1,3 having a 2,3-dichlorobutadiene-1,3 content of 15 percent or greater (this category is limited to polychloroprenes in solid form and does *not* include aqueous dispersions). This changed circumstances administrative review covers polychloroprene rubber from Japan meeting the specifications as described above. Effective upon publication of this final results of changed circumstances review in the **Federal Register**, the amended scope of the finding will read as identified in the following section of this notice:

**Scope of the Finding (As Amended By These Final Results of Changed Circumstances)**

Imports covered by this finding are shipments of polychloroprene rubber, an oil resistant synthetic rubber also known as polymerized chlorobutadiene or neoprene, currently classifiable under items 4002.41.00, 4002.49.00,

4003.00.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). HTSUS item numbers are provided for convenience and customs purpose. The Department's written description of the scope remains dispositive.

In addition, the following types of polychloroprene rubber from Japan are excluded from the scope of the finding: (1) aqueous dispersions of polychloroprenes that are dipolymers of chloroprene and methacrylic acid, where the dispersion has a pH of 8 or lower (this category is limited to aqueous dispersions of these polymers and does *not* include aqueous dispersions of these polychloroprenes that contain comonomers other than methacrylic acid); (2) aqueous dispersions of polychloroprenes that are dipolymers of chloroprene and 2,3-dichlorobutadiene-1,3 modified with xanthogen disulfides, where the dispersion has a solids content of greater than 59 percent (this category is limited to aqueous dispersions of these polymers and does *not* include aqueous dispersions of polychloroprenes that contain comonomers other than 2,3-dichlorobutadiene-1,3); and (3) solid polychloroprenes that are dipolymers of chloroprene and 2,3-dichlorobutadiene-1,3 having a 2,3-dichlorobutadiene-1,3 content of 15 percent or greater (this category is limited to polychloroprenes in solid form and does *not* include aqueous dispersions).

**Final Results of Review; Partial Revocation of Antidumping Duty Finding**

The affirmative statement of no interest by the petitioner concerning certain polychloroprene rubber from Japan, as described herein, constitutes changed circumstances sufficient to warrant revocation of this finding in part. The Department received no comments contesting the petitioner's statement of no interest. Therefore, the Department is partially revoking the finding with respect to certain polychloroprene rubber from Japan with regard to products which meet the specifications detailed above, in accordance with sections 751(b) and (d) and 782(h) of the Act and 19 CFR 351.216(d) 351.222(g). We will instruct the U.S. Customs and Border Protection to liquidate without regard to antidumping duties, as applicable, and to refund any estimated antidumping duties collected for all unliquidated entries of certain polychloroprene rubber, meeting the specifications indicated above, as of the date of publication in the **Federal Register** of the final results of this changed

circumstances review in accordance with 19 CFR 351.222(g)(4).

This notice serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This changed circumstances review, partial revocation of the AD duty finding and notice are in accordance with sections 751(b) and (d) and 782(h) of the Act and sections 351.216(e) and 351.222(g) of the Department's regulations.

Dated: September 22, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-570-894

#### **Certain Tissue Paper Products from the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On April 28, 2006, the Department of Commerce (the Department) published in the **Federal Register** (71 FR 25145) a notice announcing the initiation of the antidumping duty administrative review on certain tissue paper products (tissue paper) from the People's Republic of China (PRC). The period of review (POR) is September 21, 2004, through February 28, 2006. This review is now being rescinded for Fujian Naoshan Paper Industry Group Co., Ltd. (Naoshan), Fuzhou Magicpro Gifts Co., Ltd. (Magicpro), Guilin Qifeng Paper Co., Ltd. (Guilin Qifeng), Goldwing Co., Ltd. (Goldwing), and AR Printing and Packaging (AR P&P), because the only requesting party withdrew its request in a timely manner.

**EFFECTIVE DATE:** September 29, 2006.

**FOR FURTHER INFORMATION CONTACT:** Kristina Boughton or Bobby Wong, AD/CVD Operations, Office 9, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-8173 or (202) 482-0409, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 30, 2005, the Department published in the **Federal Register** an antidumping duty order covering tissue paper from the PRC. *See Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Tissue Paper Products from the People's Republic of China*, 70 FR 16223 (March 30, 2005) (*Tissue Paper Order*). On March 2, 2006, the Department published a *Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation*, 71 FR 10642.

On March 30, 2006, interested party Cleo Inc., an importer of subject merchandise, requested, in accordance with 19 CFR 351.213(b), an administrative review of the antidumping duty order on tissue paper from the PRC for China National Aero-Technology Import & Export Xiamen Corp. (China National), Putian City Hong Ye Paper Products Co., Ltd., and Putian City Chengxiang Qu Li Feng covering the POR. On March 31, 2006, Seaman Paper Company of Massachusetts, Inc., petitioner, requested, in accordance with 19 CFR 351.213(b), an administrative review of the antidumping duty order on tissue paper from the PRC for 16 companies covering the POR. The companies are AR P&P, China National, Foshan Sansico Co., Ltd., Naoshan, Magicpro, Gifiworld Enterprise Co., Ltd., Guilin Qifeng, Goldwing, Kepsco, Inc., Max Fortune Industrial Limited, PT Grafitcindo Ciptaprima, PT Printec Perkasa, PT Printec Perkasa II, PT Sansico Utama, Sansico Asia Pasific Limited, and Vietnam Quijiang Paper Co., Ltd.

On March 31, 2006, Samsam Productions Ltd. requested, in accordance with 19 CFR 351.213(b), an administrative review of the antidumping duty order on tissue paper from the PRC for itself and its affiliated Chinese supplier Guangzhou Baxi Printing Products Co., Ltd. for the POR, as did Max Fortune Industrial Limited and Max Fortune Paper Products Co., Ltd. On April 28, 2006, the Department initiated an administrative review of 20 companies. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 71 FR 25145 (April 28, 2006).

On July 24, 2006, petitioner requested that the Department extend the deadline for withdrawing requests for specific producers and exporters in the instant administrative review. On July 26, 2006, in accordance with 19 CFR 351.213(d)(i), the Department granted an extension for withdrawing requests until August 25, 2006. On August 25, 2006, petitioner filed a letter withdrawing its request for review of five companies, Naoshan, Magicpro, Guilin Qifeng, Goldwing, and AR P&P. Petitioner was the only party to request a review of these five companies.

##### **Rescission of Review**

The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review. The regulation also states that the Secretary may extend this time limit if the Secretary decides that it is reasonable to do so. In this instance, petitioner requested a 29-day extension of the deadline to withdraw review requests. The Department granted the extension because the Department had not yet committed substantial resources to reviewing these companies. *See, e.g., Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Hungary: Rescission of Antidumping Duty Administrative Review*, 65 FR 35610 (June 5, 2000). Petitioner then submitted a request withdrawing the review with respect to the five companies within the extended 119-day deadline, in accordance with 19 CFR 351.213(d)(1). Because petitioner was the only party to request an administrative review of these five companies, we are partially rescinding this review of the antidumping duty order on tissue paper from the PRC covering the period September 21, 2004, through February 28, 2006, with respect to Naoshan, Magicpro, Guilin Qifeng, Goldwing, and AR P&P.

##### **Assessment**

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For those companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2). The Department will issue appropriate assessment